

## **EXHIBIT A**

UNITED STATES COURT  
DISTRICT OF MASSACHUSETTS  
FILED  
CLERK'S OFFICE

6/4/04  
M.P.  
TERRI J. PEDATO, As Mother and Next )  
Friend of RICHARD MORRILL )  
Plaintiff )

2004 JUN -3 A 11: 25

VS. )

CIVIL ACTION DISTRICT COURT  
DISTRICT OF MASS  
NO: 03CV-12223-RGS

FRED G. ARRIGG, JR., M.D., )  
Defendant )

**MOTION OF THE DEFENDANT, FRED G. ARRIGG, M.D., TO TRANSFER  
THE CLAIMS AGAINST HIM TO MASSACHUSETTS  
SUPERIOR COURT FOR THE LIMITED PURPOSE OF CONVENING A  
MEDICAL MALPRACTICE TRIBUNAL**

Now comes the Defendant Fred G. Arrigg, M.D. and hereby moves pursuant to M.G.L. c.  
231, § 60B that the claims against him be transferred to the Massachusetts Superior Court for the  
limited purpose of convening a medical malpractice tribunal. In support of this motion the  
Defendant relies on the memorandum attached hereto.

Respectfully submitted,  
By his attorneys,

HICKSMAN & CONLEY, LLP

KENNETH D. WEISS, BBO# 521240  
NICOLE M. MASON, BBO# 647915  
98 North Washington Street, Suite 500  
Boston, MA 02114  
(617) 720-1515

**CERTIFICATE OF SERVICE**

I, Nicole M. Mason, attorney for said defendant, hereby certify that I have this day served  
a copy of the foregoing document upon all parties, via first class mail, postage prepaid, directed  
Joseph G. Abromovitz, Esq., 858 Washington Street - Third Floor, Dedham, MA 02026.

Signed under the pains and penalties of perjury.

Dated: June 1, 2004

NICOLE M. MASON

Allowed. The case will be stayed pending the decision of the  
Tribunal. R.B. Stearns DJ 6-7-04

## **EXHIBIT B**

**Commonwealth of Massachusetts**  
**County of Suffolk**  
**The Superior Court**

CIVIL DOCKET#: **SUCV2004-03235-C**

RE: Pedato et al v Arrigg Jr MD

TO: Kenneth Weiss, Esquire  
Ficksman & Conley  
98 North Wahington Street  
Suite 500  
Boston, MA 02114

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**NOTICE OF DOCKET ENTRY**

You are hereby notified that on **03/05/2007** the following entry was made on the above referenced docket:

**TRANSFERRED to USDC**

Dated at Boston, Massachusetts this 5th day of March,  
2007.

Michael Joseph Donovan,  
Clerk of the Courts

BY: Anna K. Flaherty  
Assistant Clerk

Telephone: 617-788-8172

**Disabled individuals who need handicap accommodations should contact the Administrative Office of the Superior Court at (617) 788-8130**

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPERIOR COURT  
CIVIL ACTION  
NO: 03cv12223

Terri J. Pedato  
PLAINTIFF

v.

Fred H. Arriaga Jr M.D.  
DEFENDANT

ORDER

AFTER A MEDICAL MALPRACTICE TRIBUNAL HEARING IN SUFFOLK  
SUPERIOR COURT:

THE ABOVE ENTITLED ACTION IS HEREBY ORDERED RETURNED TO  
THE United States District Court : DOCKET 03cv12223RGS

BY THE COURT, Spurlock, J.

*Janine A. Spurlock*  
ASST. CLERK

DATED: March 5, 2007

*Noted Sent 3/5/07*  
*LOO J.G.A. - J.G.A.*  
*KW. - F+C*

*PC*  
*1216*